

## MILPERSMAN 1910-128

### SEPARATION BY REASON OF DEFECTIVE ENLISTMENTS AND INDUCTIONS – MINOR

<b>Responsible Office</b>	NAVPERSCOM (PERS-832)	Phone:	DSN COM FAX	882-4431/4428 (901) 874-4431 882-2754
	NAVPERSCOM (PERS-913) Inactive Enlisted Members	Phone:	DSN COM FAX	882-4503 (901) 874-4503 882-2673

NAVPERSCOM CUSTOMER SERVICE CENTER	Phone: Toll Free	1-866-U ASK NPC
---------------------------------------	------------------	-----------------

<b>References</b>	(a) 10 U.S.C. 1170 (b) 10 U.S.C. 651 (c) BUPERSINST 1900.8B
-------------------	---

1. **Separation Authority.** Commanding officers (COs) with Special Courts-Martial Convening Authority (SPCMCA).

2. **Policy**

a. Members may be separated for a defective enlistment and induction on the basis of being a minor (**under the age of 18 years**); however, if the member **turned 18** prior to discovery of defective enlistment/induction, retain unless CO determines it is in Navy's best interest to separate the member.

b. **Age 17:** Void enlistment and separate per reference (a) in the following circumstances, except when retained for the purpose of trial by courts-martial:

(1) Satisfactory evidence of member's age; e.g., birth certificate.

(2) Member enlisted without written consent of parent or guardian.

(3) Member's separation request is submitted to Navy by the parent or guardian within 90 days of the member's enlistment in Navy.

3. **Procedures**

a. The Notification Procedure (MILPERSMAN 1910-402) will be used.

b. Members discharged are not considered to have acquired a service obligation per reference (b), nor is service under any enlistment or induction creditable toward fulfillment of any subsequently acquired service obligation.

c. Where applicable, ensure the enlisted service record is corrected prior to discharge to ensure the member's true age, name, and status are correct.

4. **Characterization of Separation.** The characterizations of separation per MILPERSMAN 1910-308 are:

a. **Age 17** - Entry-Level Separation.

b. **Under Age 17** - Issued an Order of Release from custody and control of the Naval Service by reason of void enlistment and induction.

5. **Separation Program Designator (SPD).** Per reference (c), the following SPD codes are to be used:

SPD CODE	EXPLANATION
JFB	Involuntary discharge, no board entitlement.